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On

April 13, 2004
TOWNSEND and TOWNSEND and CREW LLP

By: *[Signature]*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GILBERT and WAKARCHUK

Application No.: 10/735,419

Filed: December 11, 2003

For: NUCLEIC ACIDS ENCODING
SIALYTRANSFERASES FROM
C. jejuni

Confirmation No. 2617

Examiner: Not yet assigned

Art Unit: 1652

COMMUNICATION UNDER

37 C.F.R. § 1.821(e)

AND

PRELIMINARY AMENDMENT

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Sir:

In response to the request to comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, 37 C.F.R. §§ 1.821-1.825, that accompanied the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, 37 C.F.R. §§ 1.821-1.825 mailed March 26, 2004, Applicants submit that the computer-readable form in the instant application is identical with the Sequence Listing filed in Application No. 09/816,028, submitted September 10, 2001. In accordance with 37 C.F.R. § 1.821(e), please use the last-filed

Appl. No. 10/735,419
Amdt. dated April 8, 2004
Reply to Notice to Comply of March 26, 2004

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computer-readable form filed in Application No. 09/816,028 as the computer-readable form for the instant application. A paper copy of the Sequence Listing from Application No. 09/816,028 is submitted herewith. The information in the paper copy of the Sequence Listing is identical to that which is in the computer readable form submitted on September 10, 2001, as required under 37 C.F.R. § 1.821(f).

It is understood that the Patent and Trademark Office will make the necessary changes in application number and filing date for the computer-readable form that will be used for the instant application.

Please amend the specification in adherence with 37 C.F.R. §§ 1.821-1.825 as follows.

Amendments to the Specification begin on page 3 of this paper.

Remarks/Arguments begin on page 6 of this paper.